

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 46 - HB 62

February 19, 2019

SUMMARY OF ORIGINAL BILL: Enacts the “Dynamic Accessibility Act” (Act) for the purpose of adopting a new statewide symbol which designates access points to state owned-or-operated buildings for persons with disabilities. Requires the Commissioner of the Department of General Services (DGS) to promulgate rules for such designation and to collaborate and seek input from state agencies in accomplishing this task.

Designates a symbol to be used or to be based-upon, and further requires that the word “Accessible” accompany such symbol, as appropriate, for signage. Such symbol and accompanying wording is required to be used to designate every point of access for persons with disabilities for all state buildings, structures, or real property constructed or purchased on or after July 1, 2019. For state buildings, structures, and real property existing prior to this Act, signage indicating access for persons with disabilities must conform to the requirements of this Act as the signage is replaced or repaired, or when an existing state building, structure, or real property is renovated at a cost of \$10,000 or more. Requires, on or after July 1, 2019, that any business, firm, or other person transacting business with the public from a permanent location designate parking spaces for the disabled using the symbol of access created by this Act.

Requires the Department of Revenue (DOR) to utilize the symbol of access adopted pursuant to this Act in the issuance of any registration, placard, decal, and license plate issued after July 1, 2019, for a driver or passenger with a qualifying disability.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures –

Net Impact – Exceeds \$342,900/FY19-20

Exceeds \$27,300/Each FY20-21 through FY23-24

Increase Local Expenditures –

Exceeds \$100,000/Each FY19-20 through FY23-24*

SUMMARY OF AMENDMENT (004308): Deletes and replaces all language after the enacting clause such that substantive changes include:

- Removes \$10,000 renovation threshold;
- Delays the date the sign must be used to designate access points for state buildings, structures, and real property, from July 1, 2019 to July 1, 2020;
- Specifies that the requirement to use the symbol of access adopted pursuant to this Act only applies to existing and future buildings, structures, and real property owned, leased, or under the control of the Department of Transportation (TDOT) to the extent that the symbol of access complies with the laws and regulations of the Federal Highway Administration;
- Requires any person requesting to replace an existing registration, placard, decal, or license plate with another which features the symbol of access, to pay the fee otherwise due for the initial issuance of such registration, placard, decal, or license plate;
- Establishes that the requirement to utilize the symbol of access for registrations, placards, decals, or license plates only applies upon the exhaustion of the supply of existing registration, placards, decals, and license plates;
- Specifies that personalized plates for disabled drivers may bear the stylized wheelchair symbol in addition to the symbol of access;
- Authorizes, rather than requires, that parking spaces owned or leased by state and local entities use the symbol of access and delays such authority until July 1, 2020, rather than July 1, 2019; and
- Delays the effective date of this Act from July 1, 2019 to July 1, 2020.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- An effective date of July 1, 2020.
- All buildings owned or leased by TDOT will not require new signage until existing signage is replaced or repaired, or a renovation is necessary, at which point new signage would have been purchased in the absence of this legislation; therefore, there is assumed to be no increase in state expenditures as a result of this Act.
- This Act authorizes, rather than requires, parking spaces owned or leased by state and local entities use the symbol of access, at the discretion of the owner, and further allows the use of the stylized wheelchair symbol; therefore, there is assumed to be no increase in state expenditures as a result of this Act.
- According to the Department of Revenue, it can exhaust the existing supply of license plates, placards, decals, and licenses by the required July 1, 2020 deadline and begin issuance of new plates, placards, decals, and licenses which have the new symbol of access without incurring any additional expenditures.

- Local government will not require new signage until existing signage is replaced or repaired, or a renovation is necessary, at which point new signage would have been purchased in the absence of this legislation; therefore, there is assumed to be no increase in local expenditures as a result of this Act.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jdb